

REMARKS/ARGUMENTS

STATUS OF THE CLAIMS

Claims 116-121 are pending with entry of this amendment, claims 69-104, 106-115, 122-183, and 199 being cancelled herein, claims 1-68, 105, and 184-198 having been cancelled in previous amendments. These amendments introduce no new matter and support is replete throughout the specification. These amendments are made without prejudice to renewal of the claims in their original form and are not to be construed as abandonment or dedication of the previously claimed subject matter or agreement with any objection or rejection of record.

Applicants submit that no new matter has been added to the application by way of the above claim amendments. Accordingly, entry of the Amendment is respectfully requested.

The action of October 31, 2005 included: response to arguments (item 1), claim rejections for alleged anticipation (items 3-4), claim rejections for alleged obviousness (items 6-7), and indication of allowable subject matter (item 8). Applicants traverse all rejections, to the extent that they may be applied to the amended claims, for the reasons noted herein.

THE INFORMATION DISCLOSURE STATEMENT

Applicants note with appreciation the Examiner's thorough consideration of the references cited in the Information Disclosure Statement (Form 1449) submitted on August 8, 2005.

THE CLAIMS, AS AMENDED, ARE ALLOWABLE

Applicants note with appreciation the Examiner's indication of allowable subject matter. The Action indicated that claim 116 is allowed and that claims 117-122 are allowed by virtue of dependency. Applicants note that claim 122 is an independent claim rejected elsewhere in the Action; Applicants have formulated their response in the belief that "117-122" was a typographical error in the Action and that "117-121" was intended.

In the interest of expediting prosecution, Applicants have cancelled all non-allowed claims, rendering the above-noted rejections moot. However, Applicants do not concede to

Appl. No. 10/656,916
Amdt. Dated January 26, 2006
Reply to Office action of October 31, 2005

the Examiner's rejections and note their intention to file a continuation to pursue the cancelled claims. These amendments are therefore made without prejudice to renewal of the claims in their original form and are not to be construed as abandonment or dedication of the previously claimed subject matter or agreement with any objection or rejection of record.

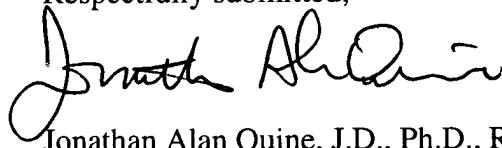
CONCLUSION

In view of the foregoing, Applicant(s) believe(s) all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the claims are deemed not to be in condition for allowance after consideration of this Response, a telephone interview with the Examiner is hereby requested. Please telephone the undersigned at (510) 337-7871 to schedule an interview.

QUINE INTELLECTUAL PROPERTY LAW
GROUP
P.O. BOX 458, Alameda, CA 94501
Tel: 510 337-7871
Fax: 510 337-7877
PTO Customer No.: **22798**
Deposit Account No.: **50-0893**

Respectfully submitted,



Jonathan Alan Quine, J.D., Ph.D., Reg No.
41,261
For Monicia Elrod-Erickson, Reg. No. 51,651

Attachments:

- 1) A transmittal sheet;
- 2) Petition to Change Inventorship; and,
- 3) A receipt indication postcard.